

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAVIER V. MORENO,

Plaintiff,

- against -

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/30/2020

20-CV-3803 (PAE) (RWL)

**ORDER OF SERVICE
AND SCHEDULING ORDER**

ROBERT W. LEHRBURGER, United States Magistrate Judge.

In response to this Court's order to show cause why this matter should not be dismissed for failure to prosecute (Dkt. 14), plaintiff counsel submitted a letter on December 13, 2020, stating that he finally had served Defendant that day (Dkt. 15). Plaintiff counsel offered no excuse for not having done so earlier and still has not filed proof of service. Nor does the record reflect acknowledgment of service by Defendant. Accordingly, to move matters forward and in the interest of justice for Plaintiff proceeding in forma pauperis, the Court respectfully directs the Clerk of Court to notify the U.S. Attorney's Office for the Southern District of New York of the filing of this case, brought under 42 U.S.C. § 405(g), for which Plaintiff proceeds in forma pauperis and the filing fee has been waived. Notice by the Clerk of Court shall constitute service, and the date of the filing of this order shall be the effective date of service. Scheduling shall proceed according to the timeline set forth in the Court's standing and supplemental scheduling orders filed in this case.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: December 30, 2020
New York, New York

Copies transmitted this date to all counsel of record.